

# **EXHIBIT 183**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

- - -

IN RE: NATIONAL : MDL NO. 2804  
PRESCRIPTION OPIATE :  
LITIGATION :  
:

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THIS DOCUMENT RELATES TO : CASE NO.  
ALL CASES : 1:17-MD-2804  
:  
: Hon. Dan A.  
: Polster

- - -

January 22, 2019

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HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER  
CONFIDENTIALITY REVIEW

Videotaped deposition of ANDREW  
PALMER, RPh taken pursuant to notice, was held at  
the law offices of Morgan, Lewis & Bockius LLP,  
1701 Market Street, Philadelphia, Pennsylvania,  
beginning at 9:40 a.m., on the above date, before  
Ann Marie Mitchell, a Federally Approved  
Certified Realtime Reporter, Registered Diplomat  
Reporter, Registered Merit Reporter and Notary  
Public.

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1 be -- these key performance indicators could be  
2 used to detect policy violations of different  
3 sorts or nature.

4 And what do you mean by that?

5 A. So there are lots of policies  
6 relative to things you can or cannot do at the  
7 cash register, price modifies, voids, things like  
8 that.

9 So, you know, an example there  
10 would be -- let's say you had a cashier that was  
11 sweethearting merchandise to a customer, meaning  
12 basically not charging them for it. They could  
13 be doing that by voiding certain items in the  
14 transaction. And utilizing NaviStor, you could  
15 see that maybe you had a particular cashier at a  
16 particular store voiding lots of merchandise,  
17 which would allow you to look into that and say,  
18 okay, we might have an issue here.

19 Q. Now, in the context of the DEA's  
20 concerns about controlled drug diversion, how  
21 were these key performance indicators used?

22 A. So that's really NaviScript. And  
23 it evolved. So NaviScript got better and better  
24 and better as we added more KPIs and, you know,

1 improved it.

2 But key performance indicators,  
3 like cycle counts down, order adjustments, DSD  
4 orders through telestock, you know, these are all  
5 examples of KPIs that could be indicative of drug  
6 losses at a store.

7 Q. Again, I think you're talking  
8 about shrinkage, though. Right?

9 MR. LAVELLE: Object to form.

10 THE WITNESS: It is shrinkage,  
11 but it's certainly also drug diversion,  
12 which is what you asked.

13 BY MR. SIMMER:

14 Q. Well, let me go through that and  
15 make sure I understand.

16 You said cycle counts down.

17 How does that key performance  
18 indicator indicate potential diversion?

19 A. Okay. So in the pharmacy like  
20 the front end, there is an inventory -- PI, a  
21 perpetual inventory system. So the system should  
22 know exactly how much of a given product -- and  
23 this is true in the front end or the pharmacy --  
24 how much of a given product that store has. So a